

REMARKS

Reconsideration is respectfully requested for Claims 1, 2 and 4-13, said claims having been variously rejected under 35 U.S.C. 102, based upon U.S. Patent No. 6,830,795 to George Downs(Downs), and under 35 U.S.C. 103, based upon the same Downs reference. These rejections are respectfully traversed.

The Downs reference is totally silent as to the adhesive elements being laminated to the clear plastic strip.

Not only does the Downs reference fail to teach laminating the adhesive strips to the plastic strip, it totally fails to teach how the adhesive is attached to the strip through any mechanism. It has no disclosure of any kind telling one how to attach the adhesive areas to the strip, much less disclosing, teaching or even suggesting that the adhesive areas could be laminated to the strip, or how to accomplish such lamination.

The normal and accepted manner of accomplishing lamination involves an application of pressure, with or without heat.

Although lamination using pressure can be accomplished in varying forms, the lamination in the presently described process first deposits an adhesive material onto a strip of liner paper and then the adhesive material on the liner paper is pushed against the strip of clear plastic. This three (3) tiered combination is then run through a pair of rollers, and pressure applied to create the lamination. The liner paper is then peeled off to leave the final, laminated product having only the plastic strip and the adhesive "dots" laminated thereon.

Again, the reference has no suggestion of how to secure the adhesive to the underlying plastic strip — not one single word.

Moreover, the Examiner has apparently overlooked one very important aspect of the present invention. As called for in Claim 1, the plastic strip has a coated side and an uncoated side and for the adhesive to be laminated to the uncoated side. Because the coated side will not stick to the adhesive, the material can be rolled up and shipped in a large roll.

The silicone coating, in accordance with the present invention, is a permanent coating, not intended to ever be pulled away from the back side of the clear plastic strip. In being applied to the backside of the plastic strip, the silicone is sprayed or painted onto the clear plastic, and when dried, is permanently on the backside.

The examiner has also alleged that “merely changing the shape of the adhesive elements” is not considered inventive, thus being a basis for a rejection of Claim 5 (circular), Claim 6 (rectangular), Claim 7 (square), Claim 8 (triangular), Claim 9 (pentagonal), Claim 10 (oval), and Claim 11 (star). This rejection is respectfully traversed. It is common knowledge that changing the shape of the adhesive directly effects the area of adhesion. For example, the area of a square is greater than the area of a circle contained within such square. For another example, if a triangle is used, and depending on whether the apex is pointed up or down, the adhesion will vary, thus varying the force required to remove a package, such as a bag of potato chips. This is true for each of the claimed adhesive configurations.

Moreover, Claim 1, the only independent claim presently pending in this application, has been currently amended to call for the coating on the first side of the strip to cover the entire surface of such first side and for the strip when rolled up into a roll to have the first side i.e., the side of the strip having the adhesive elements, to always be on the outside surface of the roll. This is a marked distinction to the roll of the Downs reference which has the coated side of the strip to be on the outside. The reason for this difference is because the Downs reference doesn’t relate to a display strip at all, but relates to a label which in typical usage would have the elastic on the label be pressed against a box or package and would have its coated side on the outside of the label to allow whatever needs to be said on the label. It is respectfully submitted that the Downs reference is non-analogous art in relating to a label, as contrasted to the display strip which is the subject of this present application.

It should also be appreciated that Claim 1 has been amended to call for the coating which is applied to the strip to cover the entire surface of the first side of the strip, totally different from the Downs reference in which the coating strips are always aligned with the adhesive strips on opposite sides of the label.

It is therefore respectfully requested that the rejection of Claims 1, 2 and 4-13 under 35 U.S.C. 102, based upon the Downs reference, be withdrawn.

Claims 5 and 7-11 have been rejected under 35 U.S.C. 103, in view of the same Downs reference. However, in view of the above comments with respect to the Downs reference, and since Claim 1 is the only independent claim, the rejection of Claims 5 and 7-11 under 35 U.S.C. 103 based upon Downs should also be withdrawn.

Based upon the above remarks, it is respectfully submitted that Claims 1, 2 and 4-13 are in *prima facie* condition for allowance and such action is courteously solicited by the undersigned attorney. The applicants acknowledge their appreciation that Claims 12 and 13 have been indicated to be allowable if written in independent form but the applicants would prefer to postpone further amendment to the claims, depending upon independent Claim 1 being held to be allowable.

Counsel for the applicants would welcome a telephone conference if the Examiner is of the opinion that such a conference would be helpful in advancing the prosecution of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. E. Johnson, Jr.', written over a horizontal line.

William E. Johnson, Jr.

THE MATTHEWS FIRM (Customer #021897)

Reg. No. 22,719

2000 Bering Drive, Suite 700

Houston, Texas 77057

(713) 355-4200 Telephone

(713) 355-9689 Facsimile

10/30/06

Date